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**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Peter J. DeVries, *et al.*

Serial No.: 10/684,109

Filed: October 10, 2003

For: ERYTHROPOIETIN RECEPTOR  
BINDING ANTIBODIES

Examiner: (not assigned)

Group Art Unit: 1644

Case No.: 6989.US.01

**CERTIFICATE OF MAILING (37 CFR  
1.8 (a))**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the:

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450, on:

Date of Deposit: August 30, 2004

Kathleen Boettcher 8/30/04  
Kathleen Boettcher Date

**TRANSMITTAL LETTER**

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Enclosed herewith is an Information Disclosure Statement for Peter J. DeVries, *et al.* for, ERYTHROPOIETIN RECEPTOR BINDING ANTIBODIES, the specification of which was filed on October 10, 2003, and received Serial No. 10/684,109.

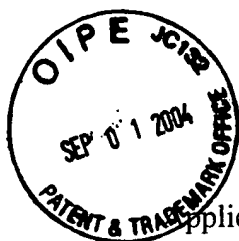
Also enclosed are: Form PTO 1449 (in duplicate) w/ten (10) references  
Return-receipt postcard

The Commissioner is hereby authorized to charge any additional Filing Fees required under 37 CFR 1.16, as well as any patent application processing fees under 37 CFR 1.17 associated with this communication for which full payment has not been tendered, to Deposit Account No. 01-0025. A duplicate copy of this sheet is enclosed.

Respectfully submitted,  
Peter J. DeVries, *et al.*

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Dianne Casuto  
Dianne Casuto  
Registration No. 40,943  
Attorney for Applicants



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**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This information disclosure statement is being filed before the mailing date of a first Office Action on the merits under 37 CFR § 1.97(b).

The Applicants submit herewith Form PTO 1449 listing the references cited for this Information Disclosure Statement. Copies of all cited documents have been included except any U.S. patent or patent application publication filed after June 30, 2003 and any international application that has entered the national stage under 35 USC § 371 after June 30, 2003. (See Official Gazette Notice of August 5, 2003.)

The Applicants respectfully request that the Examiner initial next to each reference listed on the enclosed Form PTO 1449 indicating that the Examiner has considered and made those references of record in this application and that a copy of the initialed Form PTO 1449 be returned to Applicants.


No charge is required for the submission of this Information Disclosure Statement under 37 C.F.R. § 1.97 (b). The Commissioner is hereby authorized to charge any additional filing fees required under 37 C.F.R. § 1.17 concerning this transmission, or to credit any overpayment to Deposit Account No. 01-0025.

Respectfully submitted,  
Peter J. DeVries, *et al.*

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Dianne Casuto  
Dianne Casuto  
Registration No. 40,943  
Attorney for Applicants

## Form PTO - 1449 (Modified)

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE (Modified) PATENT AND TRADEMARK OFFICE  INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary) (37 CFR 1.98 (b))	ATTY. DOCKET NO.	SERIAL NO.
	6989.US.02	10/684,109
	APPLICANT	
	Peter J. DeVries, et al.	
	FILING DATE	GROUP
	October 10, 2003	1644

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		PATENT NUMBER							ISSUE DATE	PATENTEE	CLASS	SUB CLASS	FILING DATE
	A1	4	6	6	7	0	1	6	05/19/87	Lai, et al.			
	A2	4	7	0	3	0	0	8	10/27/87	Lin			
	A3	5	2	7	8	0	6	5	01/11/94	D'Andrea, et al.			
	A4	6	3	1	9	4	9	9	11/20/2001	Elliott			

## FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION

		DOCUMENT NUMBER							PUBLI- CATION DATE	COUNTRY OR PATENT OFFICE	CLASS	SUB CLASS	TRANS- LATION	
													YES	NO
	B1	9	0	0	8	8	2	2	09.08.90	WO				

## OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication)

C1	D'Andrea, et al., "Expression Cloning of the Murine Erythropoietin Receptor", <i>Cell</i> , 57:277-285 (1989)
C2	Erslev, A., "Erythropoietin Coming of Age", <i>The New Engl. Jourm. Of Med.</i> , 316(2) 101-103 (1987)
C3	Jones, S. S., et al., "Human Erythropoietin Receptor: Cloning, Expression, and Biologic Characterization", <i>Blood</i> , 76(1):31-35 (1990)
C4	Koury, M.J. & Boundurant, M.C., "Erythropoietin Retards DNA Breakdown and Prevents Programmed Death in Erythroid Progenitor Cells", <i>Science</i> , 248:378-381 (1990)
C5	Liboi, E., et al., "Erythropoietin receptor signals both proliferation and erythroid-specific differentiation", <i>Proc. Natl. Acad. Sci. USA</i> , 90:11351-11355 (1993)
C6	Mayeux, P., et al., "Structure of the Murine Erythropoietin Receptor Complex", <i>The Jourm. Of Biol. Chem.</i> , 266(34):23380-23385 (1991)
C7	McCaffery, P. J., et al., "Subunit Structure of the Erythropoietin Receptor", <i>The Jourm. Of Biol. Chem.</i> , 264(18):10507-10512 (1989)
C8	Miyake, T., et al., "Purification of Human Erythropoietin", <i>The Jourm. Of Biol. Chem.</i> , 252(15):5558-5564 (1977)
C9	Winkelmann, J. C., et al., "The Gene for the Human Erythropoietin Receptor: Analysis of the Coding Sequence and Assignment to Chromosome 19p", <i>Blood</i> , 76(1):24-30 (1990)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

(Form PTO-1449)

## Form PTO - 1449 (Modified)

<b>FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE</b> (Modified) <b>PATENT AND TRADEMARK OFFICE</b>  <b>INFORMATION DISCLOSURE</b> <b>STATEMENT BY APPLICANT</b>  (Use several sheets if necessary)  (37 CFR 1.98 (b))	<b>ATTY. DOCKET NO.</b> <b>6989.US.02</b>	<b>SERIAL NO.</b> <b>10/684,109</b>
	<b>APPLICANT</b> <b>Peter J. DeVries, et al.</b>	
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